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November 9, 2015

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J 2015

Clerk of the Court
U.S. Court of Appeals for the Federal Circuit
717 Madison Place, N.W.
Washington, DC 20439

NOV 10 2015

United States Court of Appeals
For The Federal Circuit

United States Court of Appeals
For The Federal Circuit

Re: *LifeNet Health v. LifeCell Corporation*, Appeal No. 2015-1549

Dear Clerk of the Court,

Enclosed please find Defendant's Physical Exhibit 12 ("DPX-012"), which is included as A17527 in the Joint Appendix for *LifeNet Health v. LifeCell Corporation*, Appeal No. 2015-1549. DPX-012 is a physical sample of LifeCell's Strattec™ Reconstructive Tissue Matrix.

The United States District Court for the Eastern District of Virginia, Norfolk Division, released DPX-012 for transmission to this Court pursuant to a consent order, which is also enclosed. Because DPX-012, a tissue graft sample, has deteriorated while in storage, LifeCell also submits an identical replacement exhibit, which is a factory sealed sample of LifeCell's Strattec™ Reconstructive Tissue Matrix. The replacement exhibit is labeled A17527. Please be advised that if the Court opens the foil pouches in A17527 to inspect LifeCell's graft, the graft should not be subsequently stored in the open air.

LifeCell submits the replacement exhibit with Plaintiff-Appellee LifeNet Health's consent. LifeNet's counsel is copied on this correspondence. Should the Court have any questions, I can be reached at (212) 808-2944.

Respectfully,



Dustin F. Guzior

(Enclosures)

cc: Constantine L. Trela, Jr. (By E-Mail)
(Sidley Austin LLP, Counsel to LifeNet Health)

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United States Court of Appeals
For The Federal Circuit

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Case: 15-1549

Document: 62

Page: 2

Filed: 12/08/2015

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United States Court of Appeals
For The Federal Circuit

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

FILED

NOV - 5 2015

CLERK, US DISTRICT COURT
NORFOLK, VA

LIFENET HEALTH,

Plaintiff,

v.

LIFECELL CORPORATION,

Defendant.

Civil Action No. 2:13cv486/HCM-TEM

JURY TRIAL DEMANDED

**CONSENT ORDER ON MOTION FOR TRANSMISSION OF
DEFENDANT LIFECELL CORPORATION'S TRIAL EXHIBIT DPX-012 TO THE
US COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

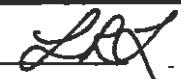
THIS MATTER IS BEFORE THE COURT on the consent motion of Defendant LifeCell Corporation ("LifeCell"), to provide for counsel for LifeCell to retrieve DPX-012 from the district court so that it may be included as part of LifeCell's appendix in its appeal to the United States Court of Appeals for the Federal Circuit. Upon consent of all parties as indicated by the endorsements of their counsel below, and finding that it is proper to do so, it is hereby ordered that counsel for LifeCell may retrieve DPX-012 from the Court and transmit it to the US Court of Appeals for the Federal Circuit, to be included as part of LifeCell's appendix.

It is SO ORDERED. The Clerk is directed to send a copy of this Order to all counsel of record.

Entered:

November 5, 2015

/s/
Lawrence R. Leonard
United States Magistrate Judge
Judge



WE ASK FOR THIS:

WE ASK FOR THIS:

By: _____/s/_____

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Brian A. Wainger (VSB #38476)

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Counsel for LifeNet Health



RECONSTRUCTIVE TISSUE MATRIX

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

LifeNet Health
Plaintiff

v.

Civil Docket No. 2:13cv486-HCM-DEM

LifeCell Corporation
Defendant

DPX Exhibit-012

5cm x 16cm Pliable

 **Strattice™**
RECONSTRUCTIVE TISSUE MATRIX

A 17527



5cm x 16cm Pliable

Surgical Mesh • Kirurgisk mesh • Chirurgische mesh • treillis chirurgical • chirurgisches Netzimplantat • matrice chirurgica • Kirurgisk nett • Malha Cirúrgica • Malla quirúrgica
Kirurgiskt häť • Kirurginen verkko • πλέγμα για χειρουργική χρήση • Siatka chirurgiczna • Chirurgická síťka • Хирургическая сетка • Sebészeti géz • Chirurgická sieťka • Cerrahi Meş



RECONSTRUCTIVE TISSUE MATRIX

DPX-012

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

LifeNet Health
Plaintiff

v.

Civil Docket No. 2:13cv486-HCM-DEM

LifeCell Corporation
Defendant

DPX Exhibit-012



Surgical Mesh • Kirurgisk mesh • Chirurgische mesh • treillis chirurgical • chirurgisches Netzimplantat • matrice chirurgica • Kirurgisk nett • Malla Cirúrgica • Malla quirúrgica
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